Pretreatment Compliance Audit

Draft Summary Report

Discharger:	City of Eureka NPDES Permit No. CA0024449 Humboldt County
Location:	4301 Hilfiker Lane, Eureka, CA 95501
Contact:	David Adams, Source Control Inspector Michael Hanson, Deputy Director of Public Works
Audit Dates:	January 30–31, 2018
Audited By:	Stephen Clark, PG Environmental Danny O'Connell, PG Environmental

Attachments

Attachment A	Industrial User Site Visit Data Sheets
Attachment B	Lost Coast Brewery Discharge Permit
Attachment C	Mission Linen Supply Discharger Information
Attachment D	Pacific Choice Seafood Discharger Information
Attachment E	Legal Authority Review Checklist
Attachment F	Sewer Use Ordinance
Attachment G	Enforcement Response Plan
Attachment H	City Response to 2015 Pretreatment Compliance Inspection

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I. Audit Summary

Upon arrival, EPA Contractors, Stephen Clark and Danny O'Connell (Audit Team) met with the City of Eureka's (City's) Source Control Inspector, David Adams and the City's Deputy Director of Public Works, Michael Hansen. The Audit Team discussed the purpose and format of the audit and interviewed the City representatives about the pretreatment program. The Audit Team also evaluated the City's procedures, enforcement response plan, and legal authority. As part of the audit, the Audit Team reviewed the files and conducted inspections at the following facilities:

- Lost Coast Brewery (non-categorical Significant Industrial User [SIU])
- Mission Linen Supply (non-categorical SIU)
- Pacific Choice Seafood (non-categorical SIU)

Refer to Attachment A of this report for site visit data sheets (SVDS) documenting the inspections conducted at the aforementioned facilities as a component of the audit.

The last review of the City's pretreatment program was a Pretreatment Compliance Inspection (PCI or inspection) performed on February 10–11, 2015.

II. Program Description

The City owns and operates the Elk River Wastewater Treatment Plant (WWTP) which provides secondary treatment and discharges to the Humboldt Bay. The WWTP serves a population of approximately 44,000 people located in the City and in unincorporated areas under the jurisdiction of the Humboldt Community Services District (HCSD). The WWTP has a peak dry weather capacity of 8.6 million gallons per day (mgd) and the average influent flow to the WWTP was 5.24 mgd at the time of the audit.

The pretreatment program has experienced frequent turnover in staffing in recent years. At the time of the audit, the pretreatment program was managed and administered by one City employee, the Source Control Inspector. The current Source Control Inspector assumed responsibility for the pretreatment program in September 2017 after training with interim City personnel and was new to the industrial pretreatment profession.

III. Industrial User (IU) Characterization

IUs currently identified by the Control Authority (CA)	IU Type	
3	**Discharging Significant Industrial Users**	
3	3	**Discharging Non-Categorical SIUs (as defined by the CA)**
	0	**Categorical Industrial Users (CIUs)**
	0	**Middle Tier CIUs**
0	**Zero-Discharging CIUs**	
0	**Non-significant CIU (NSCIU)**	
60	**Other Regulated IUs (e.g. permitted IUs)** **Describe:** The City has permitted 60 non-significant industrial users,	

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	which consist primarily of vehicle maintenance facilities, gas stations, and car washes. The City has also permitted groundwater remediation sites.
Not Reviewed.	**Waste Haulers** **Describe:** The City permits waste hauler companies (portable toilet and vault toilet only) that discharge to its dedicated points at the WWTP. City representatives stated the City samples hauled waste loads according to the requirements in Part VI.C.4.c and Attachment E of the City's NPDES permit.

IV. Findings Summary Table		
Part V Section Reference – Finding	**Requirement(s)**	**Recommendation(s)**
B.3.a – The City did not maintain an inventory of SIUs.	1	
B.3.b – The City's inventory of industrial users was incomplete.		1
C.4.a – The SIU permits contained a provision that allowed them to extend beyond five years.	2	
C.4.b – The statement of non-transferability in the SIU permits did not require a copy of the existing control mechanism be provided to the new owner or operator.	3	
C.4.c. – The Pacific Choice Seafood permit references the City's SUO rather than including the general and specific prohibitions.	4	
C.4.d – The SIU permits do not require self-monitoring reports to contain the minimum required information.	5	
C.4.e – The SIU permits do not specify sample frequency or sample type.	6	
C.4.f – The SIU permits do not require notification to the City of substantial changes in the volume or character of pollutants.	7	2
C.4.g – The permits do not contain reporting requirements for the discharge of waste that would otherwise be hazardous waste.	8	
C.4.h – The SIU permits did not require slug discharge control plans to contain procedures for follow-up written notification within five days.	9	
C.4.i – The SIU permits contained requirements for the City.		3
D.1.a – The City's SUO does not enable to the City to seek or assess criminal penalties in at least the amount of $1,000 for the initial conviction	10	

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D.1.b – The definition of significant change in the City's SUO does not include decreases in flow or changes in the concentration of pollutants.	11	
D.2.a (Contributing Jurisdictions)		5, 6
E.2.a – Lost Coast Brewery's slug discharge control plan does not contain procedures for follow-up written notification within five days.	12	
E.2.b – Lost Coast Brewery's slug discharge control plan was not signed and dated.		7
F.1.a – The City had not inspected all SIUs in 2017.	13	8
Finding F.1.b – The City was not sampling SIUs at the required frequency.	14	
F.2.a – The City's sampling techniques may not be representative of the discharge at Mission Linen Supply and Pacific Choice Seafood.	15	
G.1.a – The City had not adequately enforced an administrative order issued to Mission Linen Supply for recurring local limits violations.	16	
G.1.b – The City had not properly implemented its ERP in response to discharge violations at Pacific Choice Seafood	17	
Lost Coast Brewery SVDS - The pH probes in Tank 1 and Tank 2 were inoperable at the time of the inspection.	18	
Mission Linen Supply SVDS – The Audit Team identified incomplete preventative maintenance activities.	19	
Mission Linen Supply SVDS – The facility's flow equalization tank had been removed from service due to the upgrades to the pretreatment system.	20	
Mission Linen Supply SVDS – The Audit Team observed blue color entering the oil/water separator.		9
Pacific Choice Seafood SVDS – The Audit Team identified two locations that had wastewater line valves that could be used to bypass the pretreatment building.	21	10
Pacific Choice Seafood SVDS – The Audit Team identified an undocumented potential discharge location from the initial holding tank to an unknown destination.	22	
Pacific Choice Seafood SVDS – The Audit Team observed wastewater treatment chemicals close to its expiration date.		11
Pacific Choice Seafood SVDS – Some of the facility's sewer connections were deteriorated and were contributing to unpermitted discharges to the Eureka	23	12

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Slough.		

V. Evaluation

The Audit Team discussed the following topics regarding the City's pretreatment program with the Source Control Inspector. The Audit Team also reviewed SIU files to assess the retention and maintenance of required program documents and to generally evaluate overall program implementation. The following sections describe program deficiencies and areas of concern identified during the audit process along with requirements, recommendations, and associated references to 40 CFR Part 403.

A. Control Authority (CA) Pretreatment Program Modification

1. When was the last program modification? Did the CA notify the EPA of program modifications? (40 CFR 403.18)

The City has not significantly modified its pretreatment program since the February 2015 inspection. The City last modified its local limits in 1992. A City contractor, Freshwater Environmental Services, was in the process of evaluating the local limits at the time of the audit. The City's sewer use ordinance (SUO) was adopted in December 2011 and the City's Enforcement Response Plan (ERP) was last revised in January 2015.

B. IU Characterization

1. Describe the CA's procedure for identifying and locating IUs that might be subject to the pretreatment program. Has the CA identified and located all applicable IUs (non-categorical SIUs, CIUs, NSCIUs, etc.)? (40 CFR 403.8(f)(2)(i))

The Source Control Inspector stated that the City implements the following procedures to identify and locate industrial users subject to the pretreatment program:

- Review of building plans during the City's building permit process. The Source Control Inspector stated he participates in the plan review process when necessary (e.g., when connections to the sanitary sewer are in building plans).
- Review of water usage data.
- Review of local media sources such as newspapers and television.
- Drive-by inspections.
- Communication with the Humboldt Bay Fire Department and the Certified Unified Public Agency (CUPA).

2. Has the CA identified the character and volume of pollutants contributed to the publicly owned treatment works (POTW) by IUs subject to the pretreatment program? (40 CFR 403.8(f)(2)(ii))

The City has historically requested permit applications in which the potential discharger must identify

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pollutants expected, or suspected, to be present in their respective discharge and has inspected and sampled SIUs subject to the pretreatment program. However, the extent to which the new Source Control Inspector has been involved in such activities for newly identified industrial users was unclear.

The Audit Team observed that the City had not inspected all SIUs in 2017 and was not sampling SIUs at the required frequency. Refer to Findings F.1.a and F.1.b of this report for more information.

The City's Source Control Inspector stated that the City's goal to annually evaluate changes in wastewater discharges at existing non-significant industrial users was not feasible at the time of the audit. A more realistic timeframe would be to evaluate changes in wastewater discharges at existing non-significant industrial users once during the industrial user's 5-year term.

3. **Has the CA prepared and maintained a list of SIUs, as defined in 403.3(v)(1), along with the applicable SIU criteria? Does the list indicate whether the CA has made a determination that an SIU is a NSCIU, as defined in 403.3(v)(2), rather than an SIU? Have modifications to the list been submitted with annual reports?**
(40 CFR 403.8(f)(6))

Finding B.3.a – The City did not maintain an inventory of SIUs.
The Audit Team observed that the City's inventory of industrial users provided in the 2016 annual report and the most recent inventory of industrial users provided after the on-site audit do not indicate which industrial users are SIUs.

Regulatory Requirement
40 CFR 403.8(f)(6) states, "The POTW shall prepare and maintain a list of its Industrial Users meeting the criteria in §403.3(v)(1). The list shall identify the criteria in §403.3(v)(1) applicable to each Industrial User and, where applicable, shall also indicate whether the POTW has made a determination pursuant to §403.3(v)(2) that such Industrial User should not be considered a Significant Industrial User."

Requirement 1
The City is required to maintain a list of SIUs that identifies the criteria applicable to each SIU.

Finding B.3.b – The City's inventory of industrial users was incomplete.
The Audit Team observed that multiple fields in the City's inventory were incomplete for multiple industrial users (e.g., "Pretreatment Type", "Last Sampled", and "Self-Monitoring [Frequency]"). The Audit Team also observed that the inventory does not provide the industrial user permit number or the permit expiration date for all facilities permitted by the City.

Recommendation 1
It is recommended the City implement formal procedures to ensure that its inventory of industrial users is complete and up-to-date. Additionally, it is recommended the City add fields to the inventory to aid in the implementation of its pretreatment program (e.g., permit number and permit expiration date).

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C. Control Mechanism Evaluation

1. Has the CA issued individual or general control mechanisms to all SIUs?
(40 CFR 403.8(f)(1)(iii))

Yes. The SIUs whose files were reviewed during the audit had been issued individual SIU permits and each was current at the time of the audit. The City does not issue general control mechanisms, nor has it adopted the legal authority to do so.

2. Do the applications for general control mechanism contain all of the following?
(40 CFR 403.8(f)(1)(iii)(A)(2))

a. Contact info
b. Production processes
c. Types of wastes generated
d. Location for monitoring
e. Any request for waiver for pollutants not present per 40 CFR 403.12(e)(2)

Not Applicable (N/A). The City does not issue general control mechanisms, nor has it adopted the legal authority to do so.

3. Are general control mechanisms only issued for IUs where all of the following is true?
(40 CFR 403.8(f)(1)(iii)(A)(1))

a. Involve same/substantially similar types of operations
b. Discharge the same type of waste
c. Same effluent limitations
d. Same or similar monitoring
e. There are no CIU production-based standards, CIU mass limits, combined wastestream formula, or net/gross calculations

N/A. The City does not issue general control mechanisms, nor has it adopted the legal authority to do so.

4. Do both individual and general control mechanisms include the following, where applicable?
(40 CFR 403.8(f)(1)(iii)(B))

a. Statement of duration (5 years max)
b. Statement of non-transferability
c. Applicable effluent limits (local limits, categorical standards, BMPs)
d. Self-monitoring requirements
- **Identification of pollutants to be monitored**
- **Sampling frequency**
- **Sampling locations/discharge points**
- **Appropriate sample types**
- **Reporting requirements**
- **Record-keeping requirements**

e. Statement of applicable civil and criminal penalties

f. **Compliance schedules**
g. **Notice of slug loading or potential problems at POTW**
h. **Notification of spills, bypasses, upsets, etc.**
i. **Notification of significant change in discharge**
j. **24-hour notification of effluent violation**
k. **Submit resampling results within 30-days**
l. **Slug discharge control plan requirement, if required by POTW**
m. **Certification statements**
n. **Sampling/analysis requirements (Part 136 or alternative)**
o. **Reporting of additional sampling**
p. **90-day compliance report**

The SIU permits reviewed lacked some of the required elements list above. Refer to Findings C.4.a through C.4.i, below, for more information.

Finding C.4.a – The SIU permits contained a provision that allowed them to extend beyond five years.

The 2015 inspection report documented that the City's SIU permits were issued for five years and contained a provision that they remain effective if the City fails to renew them before expiration. Because the City cannot extend an SIU permit beyond a 5-year period, the City was required to correct this issue to ensure SIU permits are not effective for longer than a 5-year period. The Audit Team observed the City had not revised its SIU permits to ensure they are not effective for longer than five years (the SIU permits effective at the time of the audit were the same permits in effect at the time of the 2015 inspection).

Regulatory Requirements

40 CFR 403.8(f)(1)(iii)(B)(1) requires control mechanisms to contain a "Statement of duration (in no cases more than five years)."

Requirement 2

The City is required to revise its SIU permits to ensure they are in no case effective for longer than five years.

Finding C.4.b – The statement of non-transferability in the SIU permits did not require a copy of the existing control mechanism be provided to the new owner or operator.

The statement of non-transferability included in the SIU permits states, "The permit is not transferable without prior notification and approval from the City." However, the SIU permits do not require that a copy of the existing control mechanism be provided to the new owner or operator.

Regulatory Requirement

40 CFR 403.8(f)(1)(B)(2) requires control mechanisms to contain a "Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator."

Requirement 3

The City is required to revise its SIU permits such that the statement of non-transferability requires a

copy of the existing permit be provided to the new owner or operator.

Finding C.4.c – The Pacific Choice Seafood permit references the City's SUO rather than including the general and specific prohibitions.

The Pacific Choice Seafood permit references the City's SUO rather than explicitly containing the general and specific discharge prohibitions (40 CFR 403.5(a)(1) and 40 CFR 403.5(b), respectively).

Regulatory Requirement

40 CFR 403.8(f)(1)(B)(3) requires control mechanisms to contain "Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law."

Requirement 4

The City is required to revise the Pacific Choice Seafood permit to include the discharge prohibitions listed at 40 CFR 403.5(a)(1) and 40 CFR 403.5(b).

Finding C.4.d – The SIU permits do not require self-monitoring reports to contain the minimum required information.

The SIU permits do not require the minimum information required by the City's SUO or by 40 CFR 403.12(h) (i.e., periodic reporting requirements for non-categorical SIUs). Each SIU permit states that self-monitoring reports "shall indicate the name and concentration of pollutants in the sample for the analyses performed." However, the permits do not require self-monitoring reports to contain effluent flow measurements or to be signed and certified.

Regulatory Requirement

Section 50.073 of the City's SUO states, "Any significant industrial user subject to a pretreatment standard shall, at a frequency determined by the City Manager, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution preventative alternative, the user must submit documentation required by the City Manager or the Pretreatment Standard necessary to determine the compliance status of the user. All periodic compliance reports must be signed and certified in accordance with § 50.052(B) of this chapter."

40 CFR 403.12(h) states, "The Control Authority must require appropriate reporting from those Industrial Users with Discharges that are not subject to categorical Pretreatment Standards. Significant Non-categorical Industrial Users must submit to the Control Authority at least once every six months (on dates specified by the Control Authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority. In cases where a local limit requires compliance with a Best Management Practice or pollution prevention alternative, the User must submit documentation required by the Control Authority to determine the compliance status of the User."

Requirement 5

The City is required to revise its SIU permits to ensure self-monitoring reports contain the minimum

information required by the City's SUO and the federal regulations.

Finding C.4.e – The SIU permits do not specify sample frequency or sample type.

Regulatory Requirement
40 CFR 403.8(f)(1)(iii)(B)(4) requires control mechanisms to contain "Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with §403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type [emphasis added], based on the applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law."

Requirement 6
The City is required to revise its SIU permits to include the required sampling frequency and sample type based on the applicable general pretreatment standards, categorical pretreatment standards, local limits, and State and local law.

Finding C.4.f – The SIU permits do not require notification to the City of substantial changes in the volume or character of pollutants.

Regulatory Requirement
40 CFR 403.8(f)(1)(iii)(B)(4) requires control mechanisms to include reporting and notification requirements.

40 CFR 403.12(j) states, "All Industrial Users shall promptly notify the Control Authority (and the POTW if the POTW is not the Control Authority) in advance of any substantial change in the volume or character of pollutants in their Discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under paragraph (p) of this section."

Section 50.074 of the City's SUO (Reports of Changed Conditions) requires industrial users to notify the City "of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 45 days before the change."

Requirement 7
The City is required to revise its SIU permits to require notification to the City in advance of any significant change, including the increase or decrease, in the volume or character of pollutants in its discharge to the POTW.

Recommendation 2
It is recommended the City define the term "significant change" in its industrial user permits. Also refer to finding D.1.b regarding the definition of significant changes in the City's SUO.

Finding C.4.g – The permits do not contain reporting requirements for the discharge of waste that would otherwise be hazardous waste.

Pretreatment Requirements

40 CFR 403.8(f)(1)(iii)(B)(4) requires control mechanisms to include reporting and notification requirements.

40 CFR 403.12(p) contains notification requirements for any discharges to the POTW of a substance which if otherwise disposed of, would be hazardous waste.

Requirement 8
The City is required to revise its SIU permits to include the reporting requirements listed at 40 CFR 403.12(p) for the discharges of waste that would otherwise be hazardous waste.

Finding C.4.h – The SIU permits do not require slug discharge control plans to contain procedures for follow-up written notification within five days.

Regulatory Requirement
40 CFR 403.8(f)(2)(vi)(C) requires slug discharge control plans to include "Procedures for immediately notifying the POTW of Slug Discharges, including any Discharge that would violate a prohibition under §403.5(b) with procedures for follow-up written notification within five days."

Requirement 9
The City is required to revise the SIU permits to include the five-day written notification requirement for slug discharge control plans in accordance with 40 CFR 403.8(f)(2)(vi).

Finding C.4.i – The SIU permits contained requirements for the City.
The SIU permits required the City to perform inspections and conduct monitoring. For example, Part 3.A of the Pacific Choice Seafood permits states, "The City of Eureka shall perform inspections of the permitted business location, at the expense of the permittee" and Part 3.B states, "During the period of this permit the City of Eureka shall, at the expense of the permittee, monitor for the following parameters at the location indicated below."

Recommendation 3
It is recommended that the City remove any language containing obligations for the City from industrial user permits.

D. Legal Authority

1. Has the CA amended its pretreatment program to include the streamlining provisions?

Yes. As a component of the audit, the Audit Team reviewed the SUO to evaluate its consistency with the federal pretreatment regulations (Attachment E).

The following deficiencies were identified as a result of the review:

Finding D.1.a – The City's SUO does not enable to the City to seek or assess criminal penalties in at least the amount of $1,000 for the initial conviction
Section 50.999 of the City's SUO contains provisions related to criminal penalties. Sections 50.999 (A) through (C) do not enable the City to assess penalties in the amount of at least $1,000 a day for

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the first conviction. Section 50.999 (D) does enable the City to assess a penalty of not more than $2,000 for the second conviction. Section 50.999 of the City's SUO states,

(A) Any person that willfully or negligently violates any provision of this chapter, any orders, or wastewater discharge permits issued hereunder, or any other pretreatment requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than $500 per violation per day or imprisonment for not more than one year or both.

(B) Any person that willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least $500 per violation per day or imprisonment for not more than one year. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.

(C) Any person that knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than $500 per violation per day or imprisonment for not more than one year or both.

(D) In the event of a second conviction, a person shall be punished by a fine of not more than $2,000 per violation per day or imprisonment for not more than two years or both."

Regulatory Requirement

According to 40 CFR 403.8(f)(1)(vi), the POTW's legal authority shall enable the POTW to "Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTWs shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements."

Requirement 10

The City is required to revise its SUO to ensure that it has the legal authority to assess criminal penalties in at least the amount of $1,000 a day for each violation by industrial users of pretreatment standards and requirements.

Finding D.1.b – The definition of significant change in the City's SUO does not include decreases in flow or changes in the concentration of pollutants.

Section 50.074 of the City's SUO (Reports of Changed Conditions) requires industrial users to notify the City "of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 45 days before the change." Section 50.074(C) of the City's SUO states "flow increases of 10% or greater, and the discharge of any previously unreported pollutants, shall be deemed significant."

Regulatory Requirement

40 CFR 403.12(j) states, "All Industrial Users shall promptly notify the Control Authority (and the POTW if the POTW is not the Control Authority) in advance of any substantial change in the volume or character of pollutants in their Discharge, including the listed or characteristic hazardous wastes for

which the Industrial User has submitted initial notification under paragraph (p) of this section."

The federal regulatory requirement for notification of changes in an industrial user's discharge is not limited to increases in volume and discharge of new pollutants. Changes in production and flow, both increases and decreases should be considered in evaluation of significant change in operations at permitted industrial uses.

Requirement 11
The City is required to revise its SUO such that the definition of significant change includes the decrease in flow and all changes in the character of pollutants discharged.

2. **Are there any contributing jurisdictions discharging wastewater to the POTW? Does the CA have an agreement in place that addresses pretreatment program responsibilities?**

HCSD owns and operates a collection system that discharges to the City. HCSD services portions of Humboldt County that surround the City on the east and south and includes the following communities: Freshwater, Pidgeon Point, Myrtletown, Cutten, Ridgewood Heights, Rosewood, Pine Hill, Elk River, Spruce Point, Fields Landing, King Salmon, and Humboldt Hill. HCSD's collection system consists of approximately 70 miles of sewer mains and 28 lift stations and has approximately 6300 sewer connections. HCSD owns capacity rights to 30.5% of the WWTP's dry-weather capacity.

On January 26, 2009, the City and HCSD entered into a multi-jurisdictional agreement (MJA) regarding the implementation of an industrial pretreatment program. Among other requirements, the MJA requires HCSD to perform an industrial user survey, issue permits to industrial users (if necessary), conduct inspections and sampling, and perform enforcement activities in accordance with HCSD's ERP. The MJA also requires HCSD to adopt and enforce a SUO that is no less stringent than the City's SUO; HCSD must submit revisions to the City for review and approval.

According to HCSD's pretreatment program report submitted to the City and included in the City's 2016 annual report, HCSD has permitted two industrial users, Humboldt Bay Forest Products and PG&E Power Plant, and conducted fats, oils, and grease (FOG) inspections at 19 food service establishments during the reporting period. While HCSD's report states that it has not identified CIUs in its service area, it does not indicate whether the two identified industrial users are SIUs or non-significant industrial users. The Source Control Inspector stated that HCSD had not identified or permitted SIUs in its service area at the time of the audit.

Section 2.J of the MJA between the City and HCSD requires HCSD to submit quarterly pretreatment program reports to the City; however, the Source Control Inspector stated that HCSD only submits annual reports to the City.

Recommendation 5
It is recommended the City require HCSD to specify the classification of each permitted industrial user (e.g., CIU, non-categorical SIU, non-significant industrial user, etc.) in its pretreatment program reports submitted to the City.

Recommendation 6

It is recommended the City follow up with HCSD to ensure that it submits quarterly pretreatment program reports as required by the MJA.

3. What is the control authority's definition of SNC?
(40 CFR 403.8(f)(2)(viii))

The City uses the federal definition of significant noncompliance per 40 CFR 403.8(f)(2)(viii).

E. Application of Pretreatment Standards and Requirements

1. Does the CA apply all applicable pretreatment standards?
(40 CFR 403.8(f)(1)(ii) and 403.8(5))

Yes. Based on the files reviewed, the City has appropriately applied the applicable pretreatment standards for each SIU.

2. Has the CA evaluated the need for SIUs to develop slug discharge control plans?
(40 CFR 403.8(f)(2)(vi))

The City has required each SIU to develop a slug discharge control plan. Refer to Findings E.2.a and E.2.b, below, for deficiencies observed regarding Lost Coast's Brewing slug discharge control plan.

Finding E.2.a – Lost Coast Brewery's slug discharge control plan does not contain procedures for follow-up written notification within five days.

Regulatory Requirement
40 CFR 403.8(f)(2)(vi)(A)-(D) requires slug discharge control plans to "contain at a minimum, the following elements:

(A) Description of discharge practices, including non-routine batch Discharges;

(B) Description of stored chemicals;

(C) Procedures for immediately notifying the POTW of Slug Discharges, including any Discharge that would violate a prohibition under §403.5(b) with procedures for follow-up written notification within five days;

(D) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response"

Requirement 12
The City is required to ensure slug discharge control plans contain the required minimum elements per 40 CFR 403.8(f)(2)(vi)(A)-(D).

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Finding E.2.b – Lost Coast Brewery's slug discharge control plan was not signed and dated.

Recommendation 7
It is recommended the City require slug discharge control plans and other standard operating procedures (SOPs) developed and implemented by industrial users to be signed and dated to help ensure the enforceability of the documents.

F. Compliance Monitoring

1. Has the CA inspected and independently sampled each SIU at least once a year? Middle tier CIUs at least once every two years? Sample once during term of CIU control mechanism if CIU sampling waived for pollutants not present?
(40 CFR 403.8(f)(2)(v), 403.12(e)(2), 403.12(e)(2))

No. Based on the SIU files reviewed and discussions with the Source Control Inspector, the City had not inspected all SIUs in 2017, nor was it sampling SIUs at the required frequency. Refer to Findings F.1.a and F.1.b, below, for more information.

Finding F.1.a – The City had not inspected all SIUs in 2017.
The Audit Team observed that in 2017, the City had not inspected Lost Coast Brewery and had not conducted a comprehensive inspection of Mission Linen Supply and Pacific Choice Seafood.

The Source Control Inspector stated that the City had not inspected Lost Coast Brewery in 2017. He stated that he visited Mission Linen Supply in 2017 due to construction of the facility's pretreatment system; however, the Audit Team could not confirm the scope of the visit because documentation for the visit was not observed in the SIU file.

The City inspected Pacific Choice Seafood on August 10 and 11, 2017, in response to discharges of shrimp waste to the POTW. The inspection report documents that the City inspected the facility's shrimp processing area; however, the inspection report does not indicate if the City inspected the facility's pretreatment system or other process areas (e.g., crab cooking). Additionally, the Audit Team noted that the City conducted sampling on April 13, 2017; however, the sampling documentation (laboratory analytical report and chain of custody form) does not document if the pretreatment system or if other areas of the facility were inspected in conjunction with the sampling event.

Regulatory Requirements
40 CFR 403.8(f)(2)(v) requires the City to "Randomly sample and analyze the effluent from Industrial Users and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. Inspect and sample the effluent from each Significant Industrial User at least once a year."

Requirement 13
The City is required to inspect each SIU at least once per year. The scope of an inspection must be sufficient to identify noncompliance with pretreatment standards.

Recommendation 8

The Audit Team observed that the City did not consistently use a standardized inspection form to document SIU inspections. It is recommended the City document all industrial user inspections using an inspection form that ensures the City conducts comprehensive inspections.

Finding F.1.b – The City was not sampling SIUs at the required frequency.

The City samples on behalf of each SIU in lieu of requiring self-monitoring; therefore, the City is required to sample each SIU at least twice per year. The Audit Team's observations for Pacific Choice Seafood and Lost Cost Brewery are provided below.

Pacific Choice Seafood

Based on discussions with the Source Control Inspector and documents reviewed, the Audit Team observed that the City sampled Pacific Choice Seafood once in 2015 and once in 2017. The City collected a sample at the facility in November 2016, but the sample was analyzed for ammonia only. The November 2016 sampling event appeared to be collected during a time period when the City was investigating sources of ammonia in the collection system. This event did not meet the sampling requirement under 40 CFR Part 403.

On April 13, 2017, the City sampled for biological oxygen demand (BOD), oil and grease, and total suspended solids (TSS); sample documentation does not indicate whether the City sampled for pH, as required by the facility's discharge permit.

Lost Coast Brewery

According to the City's 2016 annual report, the City did not sample Lost Coast Brewery in 2016 and the Source Control Inspector stated the City had not sampled the facility in 2017. The City maintains a continuous monitoring station downstream of Lost Coast Brewery that monitors for pH, temperature, and flow; however, it was unclear when the City had installed the monitoring equipment. Additionally, the Lost Coast Brewery permit requires monitoring of BOD, chemical oxygen demand (COD), pH, and TSS.

Regulatory Requirements

40 CFR 403.8(f)(2)(v) requires the City to "Randomly sample and analyze the effluent from Industrial Users and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. Inspect and sample the effluent from each Significant Industrial User at least once a year."

40 CFR 403.12(h) states, "The Control Authority must require appropriate reporting from those Industrial Users with Discharges that are not subject to categorical Pretreatment Standards. Significant Non-categorical Industrial Users must submit to the Control Authority at least once every six months (on dates specified by the Control Authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority. In cases where a local limit requires compliance with a Best Management Practice or pollution prevention alternative, the User must submit documentation required by the Control Authority to determine the compliance status of the User. These reports must be based on sampling and analysis performed in the period covered by the report, and in accordance with the techniques described in part 136 of this chapter and amendments thereto. This sampling and analysis may be performed by the Control Authority in lieu of the significant non-categorical Industrial User."

Requirement 14
The City is required to inspect and sample the effluent from each SIU at least once per year. If the City samples on behalf of an SIU, the City is required to sample the effluent at that SIU a minimum of twice per year. Therefore, the City must implement procedures to ensure it is complying with the oversight requirements in the federal regulations and its approved pretreatment program.

2. **Has the CA used proper sampling and analysis procedures (40 CFR Part 136) and inspection procedures? Were the procedures done with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions?**
   (40 CFR 403.8(f)(2)(v) and (vii), 40 CFR 403.12(g)(5))

Finding F.2.a – The City's sampling techniques may not be representative of the discharge at Lost Coast Brewing, Mission Linen Supply, and Pacific Choice Seafood.
The City collects grab samples at each SIU, except for the continuous monitoring downstream of Lost Coast Brewery for flow, pH, and temperature. Multiple parameters for which the City samples are required to be collected as 24-hour flow-proportional composite samples (unless time-proportional or grab samples are representative and the decision to allow these is documented in the industrial user file). Parameters required to be collected as 24-hour flow-proportional composites include BOD, COD, and TSS at Lost Coast Brewery; BOD, COD, TSS, and metals at Mission Linen Supply; and BOD and TSS at Pacific Choice Seafood. The pretreatment systems at Lost Coast Brewery, Mission Linen Supply, and Pacific Choice Seafood continuously discharge during process operations, therefore, grab samples may not be representative of the discharges from these facilities. Additionally, the Audit Team did not observe documentation related to the City's decision to allow grab samples in the SIU files.

Regulatory Requirements
40 CFR 403.12(g)(3) states, "The reports required in paragraphs (b), (d), (e) and (h) of this section must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period…Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority. Where time-proportional composite sampling or grab sampling is authorized by the Control Authority, the samples must be representative of the Discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities…"

40 CFR 403.12(h) states, "The Control Authority must require appropriate reporting from those Industrial Users with Discharges that are not subject to categorical Pretreatment Standards. Significant Non-categorical Industrial Users must submit to the Control Authority at least once every six months (on dates specified by the Control Authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority. In cases where a local limit requires compliance with a Best Management Practice or pollution prevention alternative, the User must submit documentation required by the Control Authority to determine the compliance status of the User. These reports must be based on sampling and analysis performed in the period covered by the report, and in accordance with the techniques described in part 136 of this chapter and amendments thereto. This sampling and analysis may be performed by the Control Authority in lieu of the significant non-categorical Industrial User."

Requirement 15
The City is required to obtain data through appropriate sampling and analysis and ensure the data are representative of the conditions occurring. If the City decides to allow grab or time-proportional 24-hour composite samples, the alternative sampling must be representative of the discharge and the City's decision must be documented in the industrial user file.

3. **Has the CA kept records for three years including the following?**
   a. **Period compliance reports and other reports/notices**
   b. **All monitoring records including: sample date, place, method, time, personnel; analysis date, personnel, method; results**
   c. **BMP compliance documentation**
   d. **Other monitoring records**

   (40 CFR 403.12(o))

Yes. Based on the files reviewed, the City maintains records for at least three years.

4. **Has the CA evaluated, at least once per year, whether NSCIUs continue to meet the criteria of an NSCIU?**
   (40 CFR 403.8(f)(2)(v)(b), 403.3(v)(2))

N/A. The City has not permitted nondomestic dischargers as NSCIUs nor has it adopted the authority to do so.

5. **Has the CA required, received, and analyzed reports and other notices from SIUs?**
   a. **Self-monitoring reports**
   b. **BMRs and 90-day compliance reports**
   c. **Compliance schedules reports**
   d. **Notice of slug loading or potential problems at POTW**
   e. **Notification of spills, bypasses, upsets, etc.**
   f. **Notification of significant change in discharge**
   g. **24-hour notification of effluent violation**
   h. **Resampling results within 30-days**
   i. **Other reports/notifications required by the CA**

   (40 CFR 403.8(f)(2)(iv))

No. The City had not required Mission Linen Supply to complete compliance schedule reports required by a March 2016 administrative order. Refer to Finding G.1.a, below, for more information.

6. **Have SIUs monitored to demonstrate continued compliance and re-sampled after violation(s)?**
   (40 CFR 403.12(g)(1) &(2))

N/A. The City performs sampling on behalf of each SIU. Refer to Findings F.1.b and F.2.a, above, for deficiencies observed.

7. **Has the CA ensured CIUs report on all regulated pollutants at least once every 6 months?**
   (40 CFR 403.12(e)(1) & (g)(1))

N/A. The City had not classified or permitted nondomestic dischargers as CIUs at the time of the audit.

8. Has the CA ensured non-categorical SIUs self-monitor and report at least once every 6 months with a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority?
(40 CFR 403.12(h) & (g)(1))

N/A. The City performs sampling on behalf of each SIU. Refer to Finding F.1.b and F.2.a, above, for deficiencies observed.

9. Has the CA required self-monitoring reports from CIUs to be signed and certified?
(40 CFR 403.12(b)(6), 403.12(l))

N/A. The City had not classified or permitted nondomestic dischargers as CIUs at the time of the audit.

10. Has the CA received notification of hazardous waste discharges?
(40 CFR 403.12(j) & (p))

Based on the SIU files reviewed during the audit, no hazardous waste discharge notifications were received, nor was there an indication that such notifications should have been received. As previously discussed in Finding C.4.g, above, the SIU permits do not contain the hazardous waste reporting and notification requirements per 40 CFR 403.12(p).

11. Does the CA accept electronic reporting?

According to the Source Control Inspector, the City requires a hard-copy submittal if the report requires a signature. No SIUs were submitting electronic reports at the time of the audit. Pursuant to 40 CFR 403.8(f)(2)(iv), the City is reminded that it must receive hard copies of all reports unless it receives EPA approval to accept electronic reporting under the Cross Media Electronic Reporting Rule (CROMERR).

G. Enforcement

1. Has the CA implemented its enforcement response plan (ERP)?
(40 CFR 403.8(f)(5))

No. The Audit Team observed multiple deficiencies in regards to the City's enforcement of pretreatment standards and implementation of its ERP at Mission Linen Supply and Pacific Choice Seafood. Refer to Findings G.1.a. and G.1.b., below, for more information.

Note that the 2015 PCI report documented that the City had not implemented its ERP for recurring local limits violations at Mission Linen and Pacific Choice Seafood. Section 10 of the 2015 inspection report states,

> "It was noted during the inspection that the City has not escalated enforcement consistent with their ERP for several industrial users in SNC over multiple years. Mission Linen was in SNC

from 2011-2013 for Chronic and Technical Review criteria for Chloroform, TPH and Zinc local limits exceedances. Pacific Choice Seafood Company was in SNC in 2012 and 2013 for Chronic and Technical Review criteria for Oil & Grease local limits exceedances. The City has published facilities in SNC per CWA Section 403 requirements and issued NOVs [notices of violation] consistent with their ERP, Level 1 response. However, per section 4.3.9 of their ERP, the City should have escalated to a Level 2 response (i.e., an Administrative Order) which applies to "Recurring, no harm" discharge limit violations…While multiple NOVs appear to have been issued to Mission Linen and Pacific Choice Seafood Company in response to the above noted recurring instances of SNC, the City did not issue Administrative Orders to address the recurring violations as required per their ERP. The City must follow their ERP when addressing instances of non-compliance with City permits by industrial users."

Section 11, Requirement No. 1 of the 2015 inspection report states:

> "The City is required to follow their Enforcement Response Plan (ERP) when addressing instances of non-compliance with City permits and pretreatment standards by industrial users. Enforcement for violations of industrial user permits and City pretreatment standards must be escalated consistent with the City's ERP. The City did not escalate enforcement consistent with their ERP for Mission Linen and Pacific Choice Seafood Company in response to recurring local limits violations resulting in SNC status for these industrial users over multiple years."

Finding G.1.a – The City had not adequately enforced an administrative order issued to Mission Linen Supply for recurring local limits violations.

Based on the City's response to the 2015 inspection report and the files reviewed as a component of the audit, the Audit Team observed that the City issued Mission Linen an administrative order on March 3, 2016, but had not adequately enforced its requirements. Per the administrative order, the facility was required to meet the following milestones:

a. By April 15th, 2016: Submit plans to the City of Eureka Source Control Department outlining the installation of higher efficiency, or additional pretreatment equipment capable of successfully removing the TPH pollutants below 25 mg/L.
b. By May 18th, 2016: Upon approval from the Source Control Department, prepare and submit the plans and specifications referenced above to the City Building Department for review and permit.
c. By September 1st, 2016 the required work shall be complete.

The following is the City's response to Requirement No. 1 of the 2015 inspection report, which provides

> "An Administrative Compliance Order was issued in March 2016 for Mission Linen's chronic violations of Total Petroleum Hydrocarbons. This specified a timeline by which certain milestones should have been met for the design and installation of additional pretreatment measures to address the ongoing TPH violations. All work was stated to be performed completely by September 1, 2016. Mission Linen's response was to try testing the discharge after isolating or removing various materials from their wash stream. They stated they thought that compliance could be achieved by processing shop towels and industrial terry at another of

their facilities. The milestones were never met and the Compliance Order never fully followed up on. A single sample was taken by the Pretreatment Division on October 14, 2016. The result for TPH was 26 mg/L which is just above the local limit of 25 mg/L…[I]t was conveyed to Mission Linen that they were in compliance and no further action was taken by either the City or Mission Linen in 2016. …Samples taken [by the City] for Zinc, TPH, and Oil & Grease on April 19, 2017 and May 18, 2017 again exceeded the local limits. Notices of Violation were issued again that made reference to the 2016 Compliance Order. After follow up conversations and meetings, Mission Linen is now on a compliance schedule to install a new Cavitation Air Flotation system for the purpose of achieving compliance with the local limits. The commissioning of the new system is scheduled for Dec. 1, 2017, although this date may be extended."

At the time of the audit, the facility's new pretreatment system was not yet operational. During the site visit conducted on January 31, 2018, facility representatives informed the Audit Team that the corporate environmental compliance representative would be on-site the next day to finalize the timeline for the installation of the pretreatment system upgrades.

Regulatory Requirement

40 CFR 403.8(f)(1) requires the City to operate pursuant to its legal authority and require compliance with applicable pretreatment standards and requirements.

Requirement 16

The City is required to enforce provisions in formal enforcement actions to remedy noncompliance with pretreatment standards and requirements. Specifically, the City is required to take enforcement action for the missed milestones in the Administrative Compliance Order, in accordance with its approved ERP.

Finding G.1.b – The City had not properly implemented its ERP in response to discharge violations at Pacific Choice Seafood

The Audit Team observed that the City had not escalated enforcement consistent with its ERP for discharge violations at Pacific Choice Seafood from October 2016–September 2017. The City issued the facility three NOVs over that period of time. Note that none of the NOVs included an associated monetary penalty.

- On October 31, 2016, the City issued an NOV for the improper disposal of shrimp waste to the sanitary sewer system. The shrimp waste was discovered at the WWTP headworks. The NOV required the permittee to (a) monitor and log all sanitation cleanings to verify proper maintenance was being performed, (b) implement a training program to ensure proper disposal of waste, and (c) replace defective baskets and screens on floor drains. The facility responded on November 4, 2016, stating that sanitation cleanings are being monitored and that training is being provided regarding the proper disposal of waste.
- On August 17, 2017, the City issued an NOV for the improper disposal of shrimp waste to the sanitary sewer system. City collections crew members had responded to high wet well alarms at the Commercial Street Lift Station on two occasions, July 19 and August 10, 2017. Both were due to shrimp shells causing blockage. The City referred to the previously-issued NOV and stated the facility's corrective measures, which were described in the facility's response on November 4, 2016, were inadequate. The facility responded on August 21, 2017, stating

that sanitation cleanings are being monitored and that training is being provided regarding the proper disposal of waste.

- On September 12, 2017, during routine cleaning of the City's Commercial Street Lift Station, City collections crew members found "undefined product" labels and gloves; the labels were from Pacific Choice Seafood. On September 19, 2017, the City issued an NOV for the improper disposal of solid waste to the sanitary sewer system and for failure to submit weekly reports during periods of shrimp processing. The facility responded on September 20, 2017, stating that cleanup will be monitored and that training will be provided regarding the proper disposal of waste.

Section 4.3.3 of the City's ERP outlines responses for discharge limit violations that exceed applicable pretreatment standards. Specifically, it indicates that a recurring violation resulting in no harm requires a Level 1, and then a Level 2 response. Level 1 responses consist of administrative enforcement actions only, which may be a Correction Notice, Warning NOV, or an NOV. Level 2 responses consist of a combination of administrative and civil enforcement action, which may be an Administrative Order, Administrative Fine, Show Cause Order, or Civil Action. Per the ERP, a recurring violation that results in harm requires a Level 2, and then a Level 3 response. Level 3 responses consist of a combination of civil and criminal enforcement action, which may be a Show Cause Order, Civil Action, Criminal Prosecution, Termination of Permit, or Termination of Service.

Regulatory Requirement

40 CFR 403.8(f)(5) requires the City to "develop and implement an enforcement response plan." Implementation includes escalation of enforcement for recurring violations, as specified in the approved ERP.

Requirement 17

The City is required to take appropriate enforcement for these past violations, in accordance with its approved ERP. Furthermore, the City is required to ensure it follows the procedures outlined in the ERP for all violations identified going forward.

2. Does the CA evaluate both numeric and narrative criteria for significant non-compliance (SNC) and annually publish a list of IUs in SNC?
(40 CFR 403.8(f)(2)(viii))

Yes. The City uses the federal definition of SNC.

The Audit Team observed that Mission Linen was in SNC for 2017 and the City published the SNC notice in Eureka's *Times-Standard* on January 13, 2018

2.a Were any SIUs in SNC in the past year? Include name of industry, type of SNC, and current compliance status.

Mission Linen Supply was in SNC for 2017 for chronic and technical review criteria violations for oil and grease, total petroleum hydrocarbons (TPH), and zinc. Mission Linen Supply remained subject to a City-issued compliance order at the time of the audit.

3. How many SIUs were in 100% compliance with all Pretreatment Standards and Requirements? The only SIU that could potentially have been in 100% compliance for 2017 is Lost Coast Brewing but given that the City failed to inspect or sample this SIU, the audit team is unable to assess its compliance status.
4. Has the CA developed IU compliance schedules? **(40 CFR 403.8(f)(1)(iv)(A))** Yes. The City had issued Mission Linen Supply an Administrative Order that included a compliance schedule to design and install a pretreatment system to correct ongoing TPH violations. However, the City had not adequately enforced the compliance schedule. Refer to Finding G.1.a., above, for more information.
5. Has the CA ensured CIU compliance within 3 years of standards effective date (or less than 3 years where required by standard)? **(40 CFR 403.6(b))** N/A. The City had not classified or permitted nondomestic dischargers as CIUs at the time of the audit.
6. Has the CA ensured CIUs submit complete baseline monitoring reports and 90-day compliance reports within the required time frames? **(40 CFR 403.12(b) & (d))** N/A. The City had not classified or permitted nondomestic dischargers as CIUs at the time of the audit.

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Focus Topics

As a component of the audit, the Audit Team discussed the following focus topics with the Source Control Inspector.

Pharmaceuticals Recovery

The Source Control Inspector stated the pretreatment program is not involved with pharmaceutical recovery programs. The City website refers to the take back programs hosted by Humboldt Waste Management Authority and the Open Door Community Health Center.

Dental Mercury

The City had identified 39 dental facilities within the City's service area and was in the process of inventorying their treatment and discharge practices. The Source Control Inspector stated the City had received surveys back from 15 dental facilities. The City had not required any dental facilities to implement mercury reduction methods at the time of the audit.

Industrial Laundries

At the time of the audit, the Source Control Inspector was not sure if the industrial laundry located in the City's service area participates in the EPA's Safer Detergent Stewardship Initiative or uses detergents that contain nonylphenol ethoxylates (NPEs).

Fats, Oils, and Grease (FOG)

The City provides educational brochures to restaurants regarding the proper disposal of FOG and maintenance of interceptors and maintains public educational information on its website. According to the City's 2016 annual report, the City inspected 83 restaurants.

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Attachment A

Industrial User Site Visit Data Sheets

ED_006495_00002267-00026

SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Lost Coast Brewery					
Address of industry: 1600 Sunset Drive, Eureka, CA 95503					
Date of visit: 1/30/2018		Time of visit: 1:30 p.m.–2:55 p.m.			
Name of inspector(s): David Adams, Source Control Inspector, City of Eureka Danny O'Connell and Stephen Clark, PG Environmental					
Provide the name(s) and title(s) of industry representative(s)					
Name		**Title**		**Phone/Email**	
Eric Campbell		Production Supervisor		707-445-4484	
IU Permit Number: 133		Exp. Date: 10/18/2019		IU Classification: Non-categorical SIU	
Please provide the following documentation:					
1. Nature of operation: The facility brews and bottles/cans beer.					
2. Number of employees	Approximately 50	Number of shifts:	Varies, 1 to 2	Hours of operation:	5 days per week. Hours vary depending on production schedules.
3. Wastestream flow(s) discharged to the POTW: The facility discharges waste products from the brewing process and clean in place (CIP) rinse water to the POTW.					
Sanitary:	Not Reviewed (N/R).	Process:	N/R.	Combined:	N/R.
4. Describe any current or planned significant changes in process or flow: The facility representative indicated that there were no recent or planned changes at the facility that would affect the volume or nature of the wastewater discharged to the POTW. The facility's bottling line is modular and therefore able to be increased in size if warranted by demand. However, the facility representative did not indicate the facility had plans to expand production.					
5. Type of pretreatment system (Describe treatment processes, condition of systems, and deficiencies observed): The facility's pretreatment system consists of three equalization tanks operated in series. Process wastewater is collected in a wet well, located adjacent to the three tanks, and is pumped to Tank 1. Tank 1 and Tank 2 (the initial and intermediate tanks, respectively) are aerated. All three tanks are equipped with a pH meter. Sodium hydroxide is automatically added to Tank 1 and Tank 2 as needed for pH adjustment. Tank 3 is not set up for dosing of sodium hydroxide. Tank 3 discharges to the POTW. The pretreatment system is equipped with return lines from each tank that discharge to the wet well.					
X	Continuous flow		Batch		Combined
6. Process area description (identify raw materials and processes used): The process area consists of a brew cellar, bottling/packing line, warehousing, and shipping and receiving area.					
7. Chemical storage area (identify the chemicals that are maintained on-site, housekeeping, and storage): N/R.					
Any floor drains?	N/R.		Any spill control measures?	N/R.	
8. Are hazardous wastes drummed and labeled? Hazardous wastes were not observed during the inspection.					
9. Does the IU have hazardous waste manifests? N/R.					
10. Solid waste production and disposal: Spent grains resulting from the brewing process are hauled off-site to be used for livestock feed.					
11. Description of sample location and methods: Samples are collected from a manhole at the southwest portion of the facility prior to discharging to the City's sewer system.					

Findings:
1. **Finding - The pH probes in Tank 1 and Tank 2 were inoperable at the time of the inspection**. The facility representative stated he was aware of the issue and that he was working to resolve it. The Audit Team observed that the pH probe in Tank 3 read 8.47. **Regulatory Requirement** Part 1.A of the facility discharge permit states that the "permittee shall maintain all pretreatment equipment in proper working condition per manufacturers' specifications." **Requirement 18** The City is required to ensure that the facility maintains pretreatment equipment in proper working condition and should conduct a follow-up inspection to determine the status of the pH probes.

SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Mission Linen Supply					
Address of industry: 1401 Summer Street, Eureka, CA 95501					
Date of visit: 1/31/2018		Time of visit: 9:20 a.m.–10:40 a.m.			
Name of inspector(s): David Adams, Source Control Inspector, City of Eureka Danny O'Connell, PG Environmental					
Provide the name(s) and title(s) of industry representative(s)					
Name		**Title**		**Phone/Email**	
Kyle Gaylord		Production Manager		707-443-8681	
Please provide the following documentation:					
1. Nature of operation: The facility is a commercial laundry providing linen, uniform, mop, and wiper (rags/towels) services. The facility's service area is from Oregon to Ukiah, CA. The operations fall under NAICS codes 812331 (Linen Supply) and 812332 (Industrial Laundry). The City has permitted the facility as a non-categorical SIU based on the volume of wastewater discharged to the POTW.					
2. Number of employees	62	Number of shifts:	2	Hours of operation:	5 days per week; 4:00 a.m.–5:00 p.m.
3. Wastestream flow(s) discharged to the POTW: Wastewater generated from the washing and rinsing of linen, uniforms, mops, and wipers are discharged to the pretreatment system due to the concentrations of oil and grease in the wastestream, prior to being discharged to the POTW.					
Sanitary:	500 gallons per day (gpd)	Process:	33,000 gpd	Combined:	33,500 gpd
4. Describe any current or planned significant changes in process or flow: The facility representatives stated that they were in the process of modifying the pretreatment system. A cavitation air flotation (CAF) unit and a larger filter press are going to be installed. These upgrades will include chemical addition to improve wastewater treatment and effluent quality. The new system will use coagulant, flocculant, clay, and sulfuric acid additions as components of the treatment process. The system is anticipated to significantly increase the filter cake generation and improve effluent quality. Facility representatives stated that Mission Linen Supply's corporate environmental representative would be on-site the day after the site visit to finalize the timeline for the installation of the pretreatment system upgrades.					
Type of pretreatment system (Describe treatment processes, condition of systems, and deficiencies observed): The pretreatment system installed at the time of the inspection consisted of a lint screen/shaker unit, a flow equalization tank, an "Ellis" oil/water separator with two media packs, solids thickening tank, filter press, and a final discharge tank. In anticipation of the installation of the new CAF unit, the wastewater line to the flow equalization tank was cut and the wastewater was routed directly to the oil/water separator (refer to item 2 in the Findings section below).					
X	Continuous flow		Batch		Combined
Process area description (identify raw materials and processes used): The facility receives soiled linen, uniforms, mops, and wipers for cleaning, pressing, and mending as needed. Client's soiled linen, uniforms, mops, and wipers are off loaded and positioned in an open area of the building. Most of the laundry is contained in super-sacks and moved through the facility by an overhead conveyer system to washers. The wipers and mops are screened in the field by drivers and once again in the off-loading process to ensure that no excessive liquid or moisture has been received. This process is used to ensure that waste chemicals or solutions are not dumped on company's laundry for disposal.					

The chemicals used in the processes are delivered via a programmed chemical delivery system that pumps them through hoses directly to washers. The system provides the cleaning and softening solutions based on specific needs of each client and the services they receive. The facility occasionally dyes wipers and rugs.

The facility had two 675-gallon washers, two 450-gallon washers, and two 150-gallon washers (pony washers), two 450-pound dryers, one 250-pound dryer, and two smaller dryers. Wastewater from the washers is transported by a combination of floor trenches and pipes. Wastewater is run through a heat recovery system prior to flowing to the pretreatment system.

7. Chemical storage area (identify the chemicals that are maintained on-site, housekeeping, and storage): The chemical (cleaning solution) storage area was in the middle of the process area. This area was not inspected due the proximity of laundry super-sacks traveling through the area. The area contained five 200-gallon totes of cleaning solutions and ten 55-gallon drums of various materials (hydrogen peroxide, alkaline solutions, detergents, bleaches, fresheners, and softeners).

Any floor drains?	None observed within the storage area.	Any spill control measures?	Yes, dikes and spill kit.

8. Are hazardous wastes drummed and labeled? Not Reviewed (N/R).

9. Does the IU have hazardous waste manifests? N/R.

10. Solid waste production and disposal: Solids are produced from the lint screen and filter press. Lint goes to the regular trash. The filter cake and waste oils are hauled by a certified waste hauler for off-site disposal.

11. Description of sample location and methods: The City of Eureka performs monitoring on behalf of the facility. The City's grab samples are collected at a sump at the corner of the facility, near the intersection of Summer Street and West 14th Street.

Findings:

1. **Finding – The Audit Team identified incomplete preventative maintenance activities.**

   The Audit Team reviewed the facility's maintenance sheet for the "Waste Water System" which lists weekly and monthly activities and covered the timeframe of June 27, 2017–January 16, 2018. The Audit Team observed the following deficiencies:

   - Four weekly activities were not marked complete for the entire timeframe covered by the sheet.
   - Only one weekly inspection was completed in September.
   - No inspections were conducted in October.
   - Only two weekly inspections were conducted in December.

   Regulatory Requirement

   Part 1.A of the facility's discharge permit requires that the "permittee shall maintain all pretreatment equipment in proper working condition per the manufactures specifications." Part 1.B of the permit requires the permittee to "generate a preventative maintenance schedule for the Ellis Corporation Model OWS-200 oil water separator based on the minimum manufacturers' specifications."

   Requirement 19

   The City is required to evaluate the facility's maintenance records to ensure the facility is properly maintaining the pretreatment system and take appropriate enforcement action when permit conditions are not met.

2. **Finding – The facility's flow equalization tank had been removed from service due to the upgrades to the pretreatment system.**

   The influent line to the flow equalization tank had been cut and removed and process wastewater was routed directly to the facility's oil/water separator. Based on the file review, it was unclear if the City was properly notified of this modification to the treatment system.

   Permit Requirements:

   Part 1. I of the facility's discharge permit requires that "All process wastewater shall pass through a solids separator sump, a flow equalization tank and an Ellis Corporation Model OWS-200 oil water separator prior to discharge to the sanitary sewer. Any bypass of the pretreatment system shall be done in accordance with the bypass provisions specified in the permit."

   Requirement 20

   The City is required to ensure that the facility complies with the permit's bypass notification requirements contained in Part 5.D.

3. **Finding – The Audit Team observed blue color entering the oil/water separator.**

   The Audit Team observed a blue color entering the oil/water separator at 10:25 a.m. Facility representatives stated that the color was from a dying operation. The color did not appear to leave the oil/water separator.

   Recommendation 9

   It is recommended the City request copies of all safety data sheets (SDSs) for the dyes used at the facility for review and evaluation with respect to metals concentrations.

SITE VISIT DATA SHEET

INSTRUCTIONS: Record observations made during the IU site visit. Provide as much detail as possible.					
Name of industry: Pacific Choice Seafood Company					
Address of industry: 1 Commercial Street, Eureka, CA 95501					
Date of visit: 1/30/2018		Time of visit: 3:05 p.m.–4:05 p.m.			
Name of inspector(s): David Adams, City of Eureka Danny O'Connell and Stephen Clark, PG Environmental					
Provide the name(s) and title(s) of industry representative(s)					
Name		**Title**		**Phone/Email**	
John King		General Manager		707-442-2981	
Michael Macias		Maintenance Technician		707-442-2981	
IU Permit Number: 37		Exp. Date: 9/30/2019		IU Classification: non-categorical SIU	
Please provide the following documentation:					
1. Nature of operation: The facility is a seafood processor that fillets fish, cooks Dungeness crabs, and cooks and peels shrimp for fresh and frozen markets. The facility is classified under SIC Code 2092 (Prepared Fresh or Frozen Fish and Seafoods). The City has permitted the facility as a non-categorical SIU based on the volume of wastewater discharged to the POTW. This inspection focused on the pretreatment system. The fish processing area was not inspected as a component of this inspection.					
2. Number of employees	At most, 160.	Number of shifts:	2	Hours of operation:	5 to 7 days per week; 7:00 a.m. – 2:00 a.m.
3. Wastestream flow(s) discharged to the POTW: The facility generates wastewater from the shrimp cooking process, which is pretreated prior to being discharged to the POTW. Rinse and wash water from fish fillet processing is collected in floor drains equipped with screens that discharge to the POTW.					
Sanitary:	1,000 gallons per day (gpd)	Process:	50,000 – 150,000 gpd	Combined:	51,000 – 150,000 gpd
4. Describe any current or planned significant changes in process or flow: The facility representatives stated the facility is evaluating the feasibility of routing all process wastewater to the facility's pretreatment system. The inspection process identified numerous plumbing failures under the seafood processing area leaking wastewaters into the Eureka Slough. The facility contacts stated that they would get plumbers immediately to evaluate and fix plumbing failures. Refer to item 4 in the Findings section for additional information.					
5.Type of pretreatment system (Describe treatment processes, condition of systems, and deficiencies observed): The pretreatment system was not in operation at the time of the inspection because it was not shrimp processing season. When operating, the shrimp processing wastewater is sent to a hydro screen to separate the shells and other solids from the wastestream. Afterwards, hydro screen effluent flows by gravity to the pretreatment building. The influent to the pretreatment building is collected in an initial holding tank before being pumped to one of two equalization tanks. The wastewater from the equalization tanks is sent to a mixing tank where coagulant is added. A flocculant is added to the wastestream as it is pumped to the dissolved air flotation (DAF) unit. Solids removed from the DAF unit are pumped to a filter press; the filtrate is returned to the initial tank for treatment. Effluent from the DAF is discharged to the POTW. The Audit Team identified potential bypass lines at the pretreatment system; refer to item 2 in the Findings section for additional information.					
X	Continuous flow		Batch		Combined
6. Process area description (identify raw materials and processes used): The facility receives fish and seafood by boat and truck. Fish are filleted and packaged for shipment. Crabs and shrimp are cooked and packaged for shipment.					
7. Chemical storage area (identify the chemicals that are maintained on-site, housekeeping, and storage):					

Coagulant and flocculant were stored in the pretreatment building.			
Any floor drains?	No floor drains were observed in the pretreatment building.	Any spill control measures?	Not Reviewed (N/R).
8. Are hazardous wastes drummed and labeled? N/R.			
9. Does the IU have hazardous waste manifests? N/R.			
10. Solid waste production and disposal: Solids are produced from the hydro screen and filter press and are hauled off-site for disposal as fertilizer. The solids produced from fish processing was not reviewed during this inspection.			
11. Description of sample location and methods: The City performs monitoring on behalf of the facility. The City collects grab samples from a manhole at the southeast corner of the facility, near Commercial Street.			
Findings:			

1. **Finding – The Audit Team identified two locations that had wastewater line valves that could be used to bypass the pretreatment building.**

   The influent line to the initial holding tank (from the hydro screen) had a valve immediately prior to the pretreatment building (refer to Photograph 1). The valve appeared to be closed at the time of the inspection. However, if it were open, flows from the hydro screen would bypass the pretreatment system building (i.e., initial holding tank, equalization tanks, etc.). The bypass line (bypass 1) goes below ground, adjacent to a storm drain (refer to Photograph 2). The second bypass valve is located at the hydro screen on the line flowing towards the pretreatment building (refer to Photograph 1). If closed, this valve would direct flow back towards the process building and then to the POTW (refer to Photograph 2). The facility representative stated that when the hydro screen is cleaned (after shrimp processing), wash waters are not sent to the pretreatment system, but bypass the pretreatment system and discharge directly to the POTW through this route. It is unclear why there were two separate bypass routes.

   The Audit Team also identified another potential bypass location within the pretreatment building. The initial holding tank that collects pretreatment system influent had an overflow pipe which was routed to the exterior of the pretreatment building through the wall adjacent to the tank. The pipe was positioned above what appeared to be a storm drain inlet; refer to item 2, below, for additional information (refer to Photographs 3 and 4).

   The facility had not previously notified the City of the need to bypass or of bypass events that occurred at the facility.

   Regulatory Requirement

   Part 4.D.1 of the permit states that bypass is prohibited, and the City may take enforcement action against the permittee for a bypass, unless: (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; (b) there were no feasible alternatives to the bypass; and (c) a bypass which does not cause pretreatment standards or requirements to be violated, but only if it also is essential maintenance to assure efficient operation, and the permittee submitted notice as required under this section.

   Requirement 21

   The City is required to enforce Part 4.D.1 of the permit and ensure that facility follows the correct bypass procedures. The City is required to conduct a follow up inspection at the facility to identify the ultimate destination of the bypass line. If the bypass line discharges to the storm drain, the appropriate representatives are required to be notified. The City is also required to evaluate the operating procedures for the bypass valve being positioned in the "open" operating mode.

Recommendation 10

It is recommended that all process and wash wastewaters be sent to the pretreatment system for treatment prior to discharge in an effort to eliminate the need for the facility to bypass the pretreatment system.

2. **Finding – The Audit Team identified an undocumented potential discharge location from the initial holding tank to an unknown destination.**

During the inspection of the pretreatment system in the pretreatment building, the Audit Team observed a flexible hose leading from the overflow pipe in the initial holding tank, through the building wall, to an outside drain (refer to Photographs 3 and 4). The facility and City representatives were unsure of the drain's final destination. Additionally, staining, resembling a grate cover, was observed near the drain, indicating that the grate cover may be periodically removed for periods of time (refer to Photograph 4).

Regulatory Requirement

40 CFR 403.8(f)(2)(ii) requires the POTW to identify the character and volume of pollutants contributed to the POTW by the industrial users.

Part 1.K of the permit states that "operational controls, such as floor drain grates and P-trap covers, shall be used to prevent carcasses, fish skins, and any other solid debris greater than one inch in any dimension from entering the sanitary sewer."

Requirement 22

The City is required to identify the destination of the outdoor drain and evaluate the facility's discharge practices to said drain. Specifically, the City is required to identify what is discharged to the drain, during what circumstances these discharges occur, if they are bypassing the pretreatment system and sampling location, and if they are necessary. If the drain leads to the storm drain system, the appropriate representatives are required to be notified.

Additionally, the City is required to identify the reason for the removal of the grate cover indicated by the staining on the impervious surface resembling the grate cover. The City is required to ensure that the cover is not being removed to allow solids to discharge to the POTW per Part 1.K of the permit.

3. **Finding –The Audit Team observed wastewater treatment chemicals close to its expiration date.**

The Audit Team observed that the expiration date on the container of flocculant stored in the pretreatment building was January 25, 2018 (refer to Photograph 5).

Recommendation 11

The Audit Team recommends that the City follow up with the facility to ensure that it is using chemicals that will meet the performance needs of the pretreatment system.

4. **Finding – Some of the facility's sewer connections were deteriorated and were contributing to unpermitted discharges to the Eureka Slough.**

The Audit Team observed multiple broken, leaking, and deteriorated pipes underneath the facility where the building meets the shoreline of the Eureka Slough. This area of the facility is raised above the shoreline because it is a tidally influenced area. During the inspection, the tide was at a low point, thereby allowing the Audit Team to walk underneath the facility. Based on high water marks observed on the support pillars, access to this area via foot is difficult during high tide. Multiple pipes were leaking water from an unidentified source to the shore, which then flowed to the Eureka Slough (refer to Photographs 6 through 14). While many of the pipes appeared to be associated with the process wastewater/sanitary sewer system, the water did not appear to be from a domestic source based on its

visual appearance (i.e., no domestic solids) and lack of odor. The facility's Maintenance Technician stated that in the past, the facility had hired a plumber to evaluate the piping in this area for repair; however, the plumber left without providing a summary of the assessment to the facility. It was unclear when this evaluation was conducted and when the leaking pipes had failed in relation to the plumber's evaluation of the infrastructure. The Audit Team observed the following in regard to the plumbing under the facility:

- The rusted pipe conveying the most significant flow discharging to the Eureka Slough did not appear to have any sewer infrastructure downstream of the discharge point. It was unclear to the Audit Team how this line connected to the sanitary sewer (refer to Photographs 8 and 9).
- The Audit Team observed heavy grade black tape on a P-trap that was leaking and plastic sheeting was observed in one area (refer to Photographs 12 through 14). It was unclear if the tape or plastic sheeting was related to any previous pipe repair work.
- A rock under one of the P traps was moist from leaking wastewater and appeared to have bio-growth in these areas. This bio-growth appeared to be a result of the wastewater leaking from the pipe (refer to Photograph 14).
- During the exit interview the facility representative was informed the leaks of wastewaters from facility's plumbing needed to be corrected immediately. The representative stated that he would call a plumber immediately.

Regulatory Requirement

The federal regulations at 40 CFR 122 require that direct discharge of wastewater to waters of the United States must be permitted under the NPDES Program.

Section 50.092, Maintenance of Building Sewers, of the City's SUO states:

"All users shall keep, operate, and maintain their building sewer connections, including that portion thereof within a public right-of-way, in good order and condition and free of roots, grease, sand, and other nonstructural related obstructions and shall be liable for damages which may result from their failure to do so."

Requirement 23

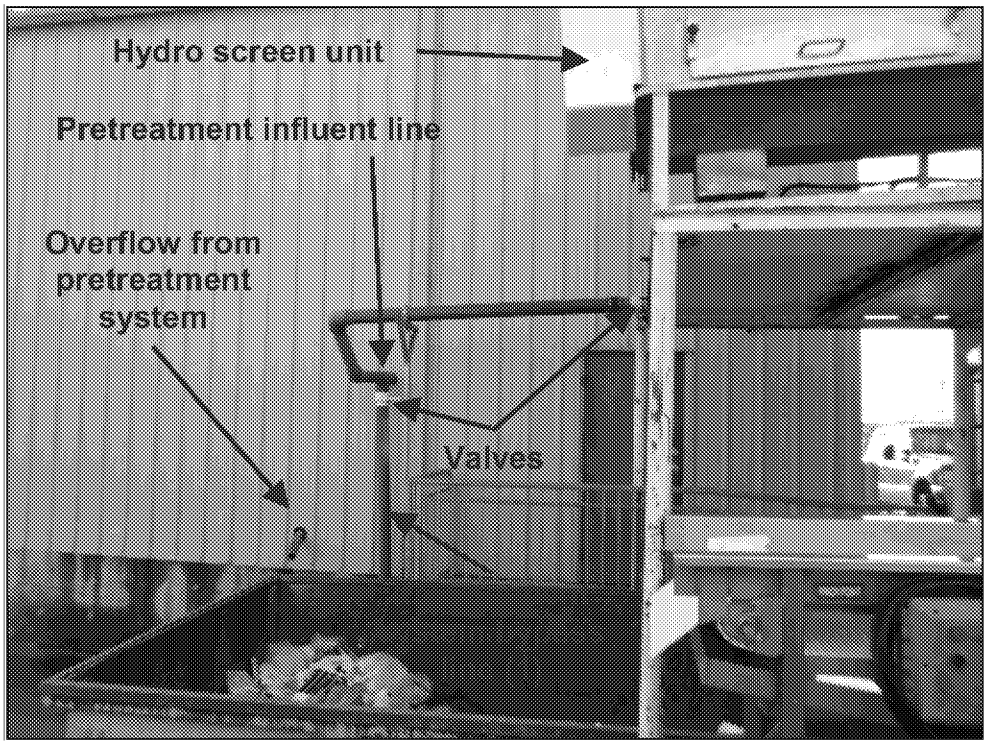
The facility is required to cease the direct discharge of wastewater to the Eureka Slough immediately.

The City is required to enforce Section 50.092 of the SUO and ensure that the facility is properly operating and maintaining the building sewer connections.

Recommendation 12

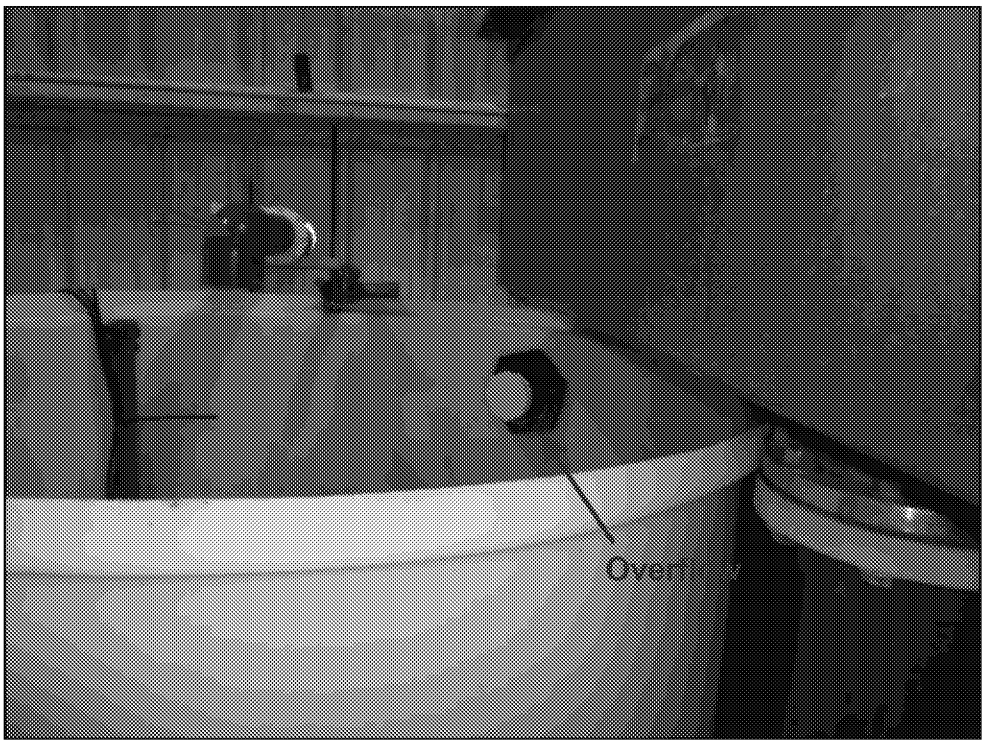
The Audit Team strongly recommends that the City have a formal meeting with company representatives concerning the plumbing infrastructure, unpermitted discharges, and overall permit compliance. The company representatives should have past and future building plans and plumbing diagrams so that all sewer and storm system sewer lines are clearly identified.

The Audit Team also recommends that all buildings and piers with water and wastewater utilities located over water or on the shore line be inspected for similar issues with infrastructure assets exposed to tidal impacts or hidden from regular maintenance inspections.

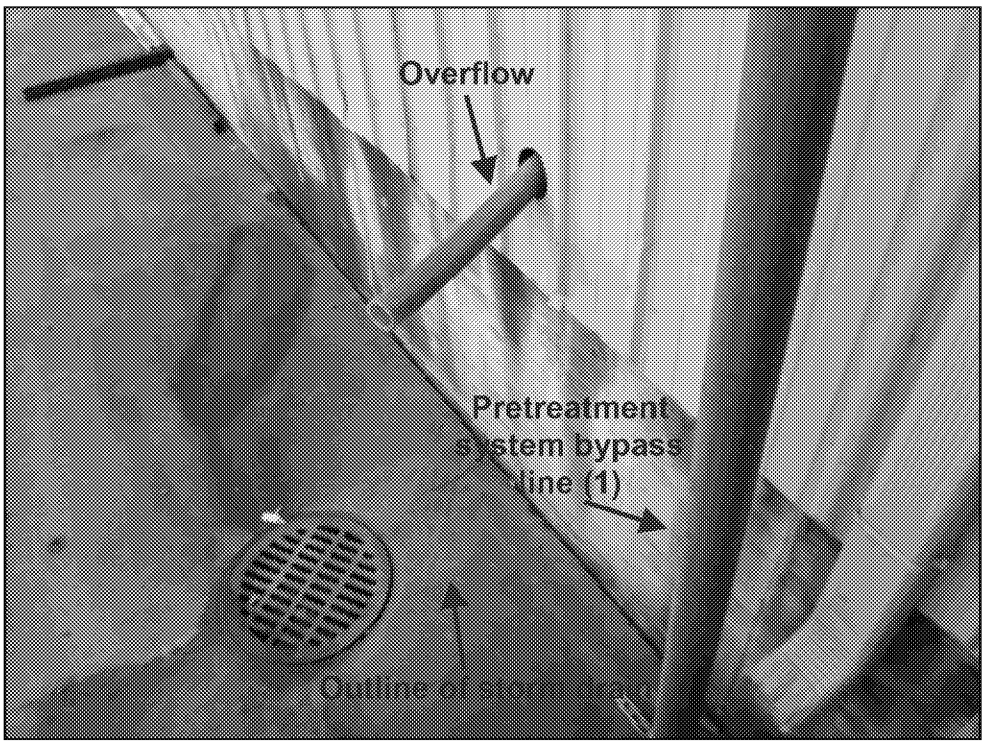


Photograph 1. View of the hydro screen and associated piping. The hydro screen is immediately upstream of the pretreatment system building.

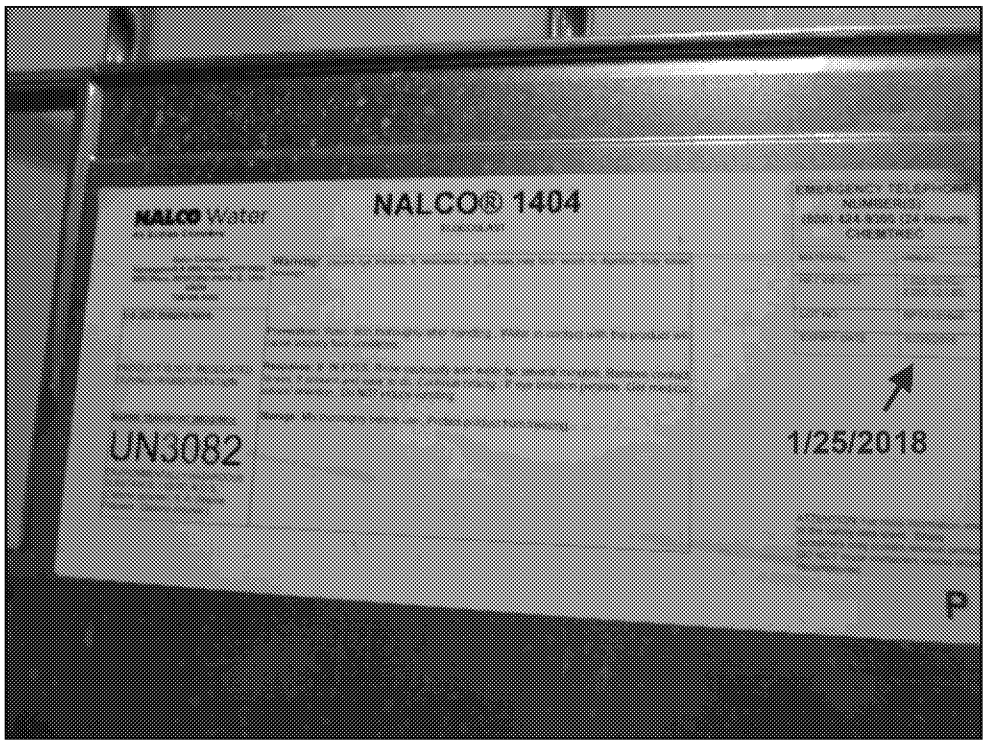
Photograph 2. View of the secondary discharge route of wastewater from the hydro screen. This route bypasses the pretreatment building.



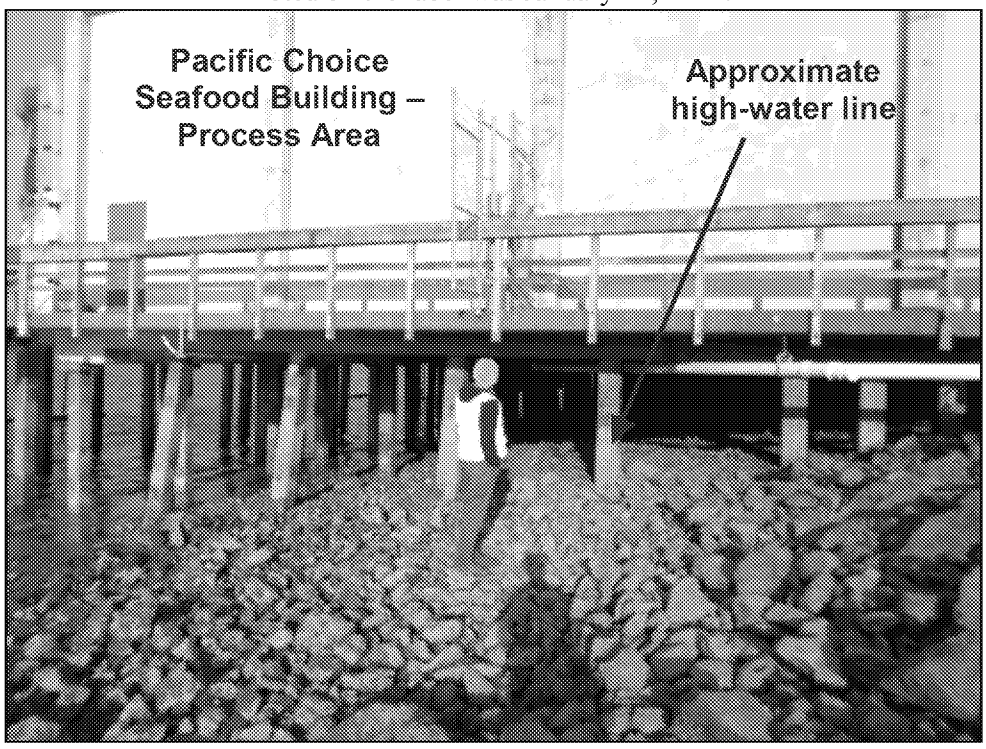
Photograph 3. View of the initial holding tank. The tank had an overflow pipe to the exterior of the building. It is unclear if the overflow was capped or if it was a screen or flow restrictor.



Photograph 4. View of the overflow pipe from the initial holding tank. The drain shown in the photograph appeared to be a storm drain.

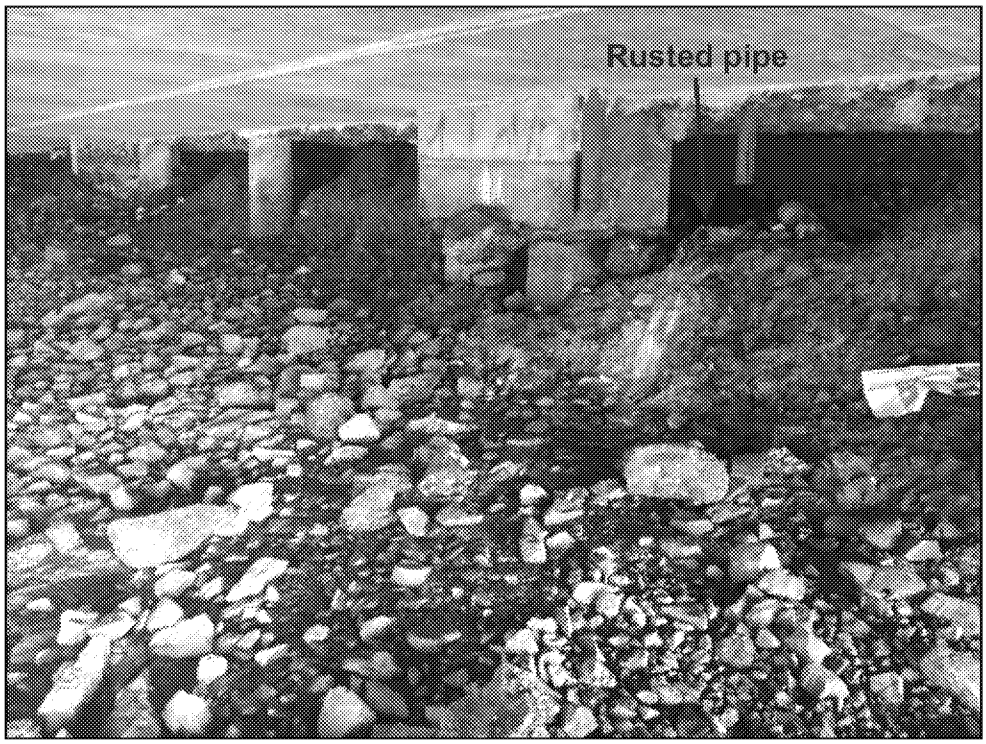


Photograph 5. View of the flocculant stored in the pretreatment building. The expiration date noted on the label was January 25, 2018.

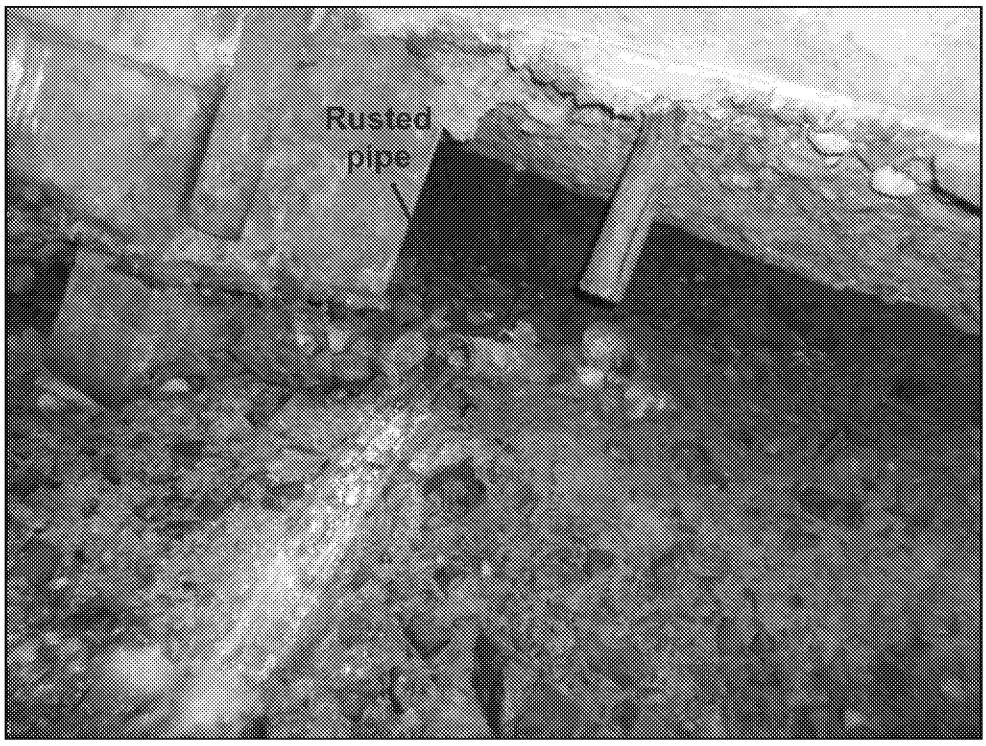


Photograph 6. View, facing east, of the west side of Pacific Choice Seafood. Note approximate high-water line showing the extent of the tidal influence.

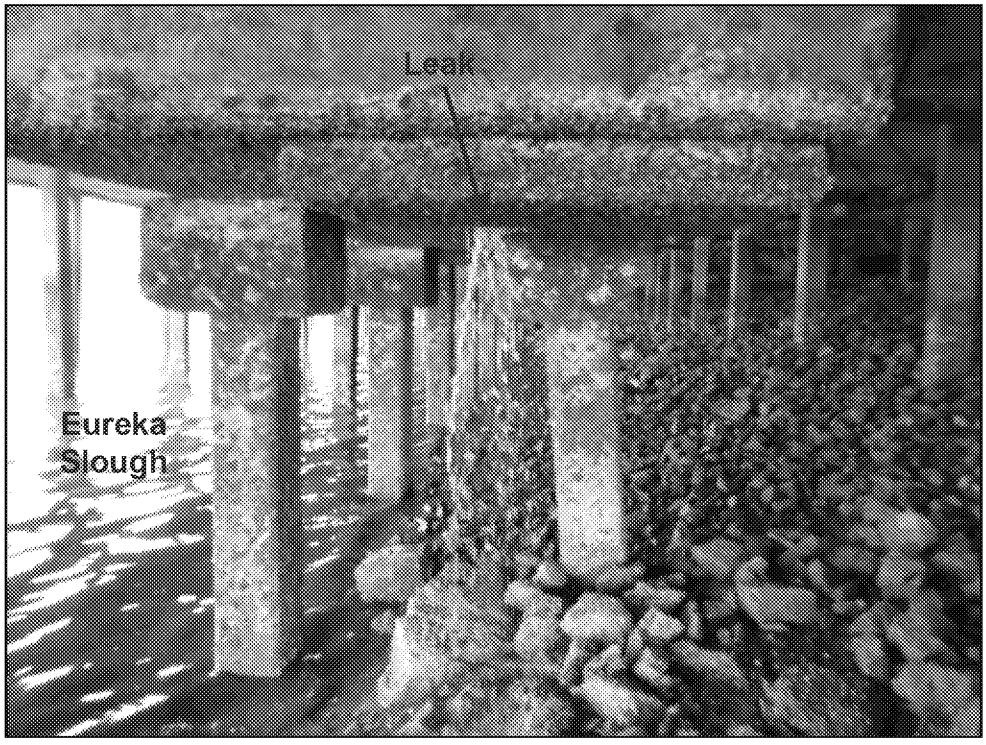
Photograph 7. Close-up view of the approximate high-water line shown in Photograph 6.



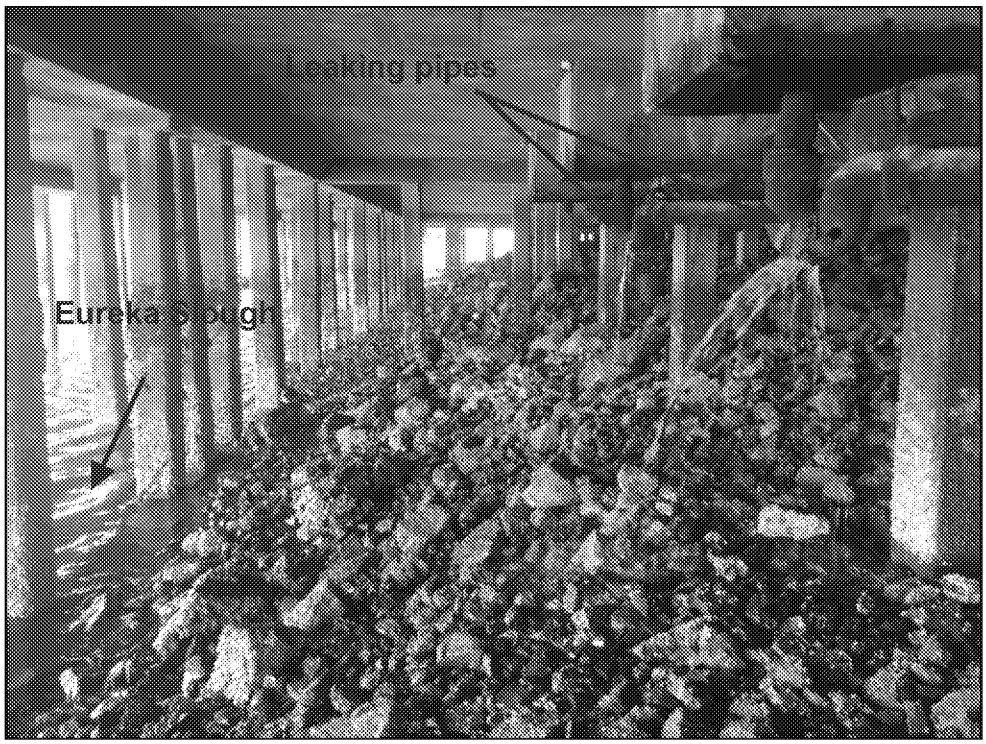
Photograph 8. View of a rusted pipe underneath the facility that was discharging water onto the ground. The water then flowed to the Eureka Slough.



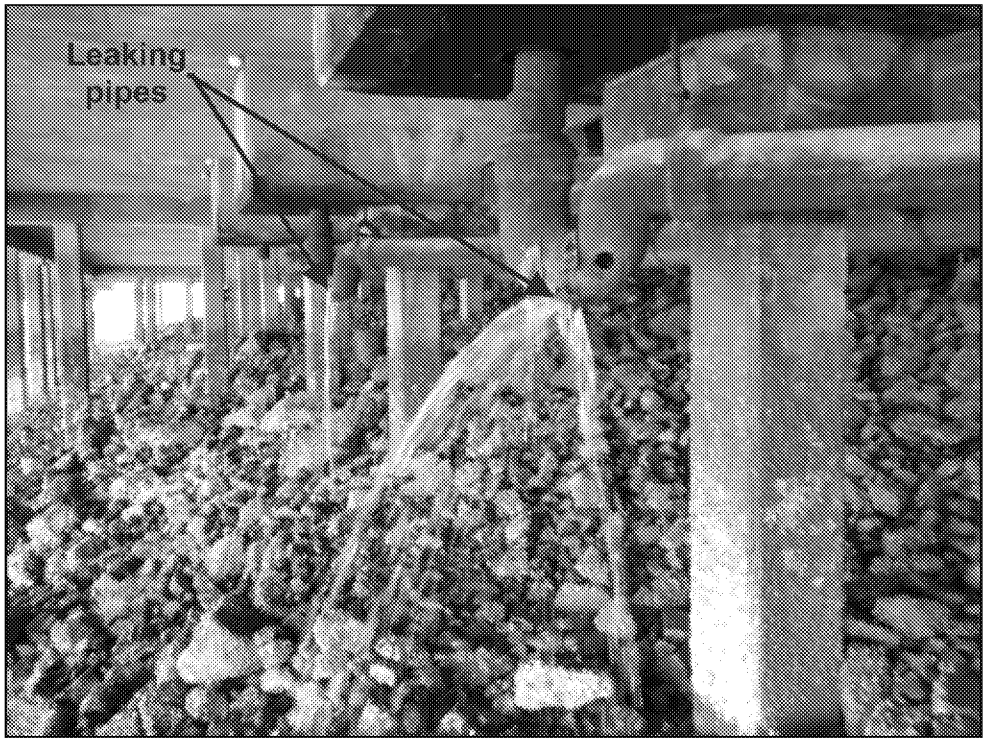
Photograph 9. Close-up view of the rusted pipe shown in Photograph 8. It is unclear where or whether this pipe was connected to the sewer in the past, no sewer pipe or other infrastructure was observed downstream of this pipe.



Photograph 10. View of unidentified leak underneath the facility.

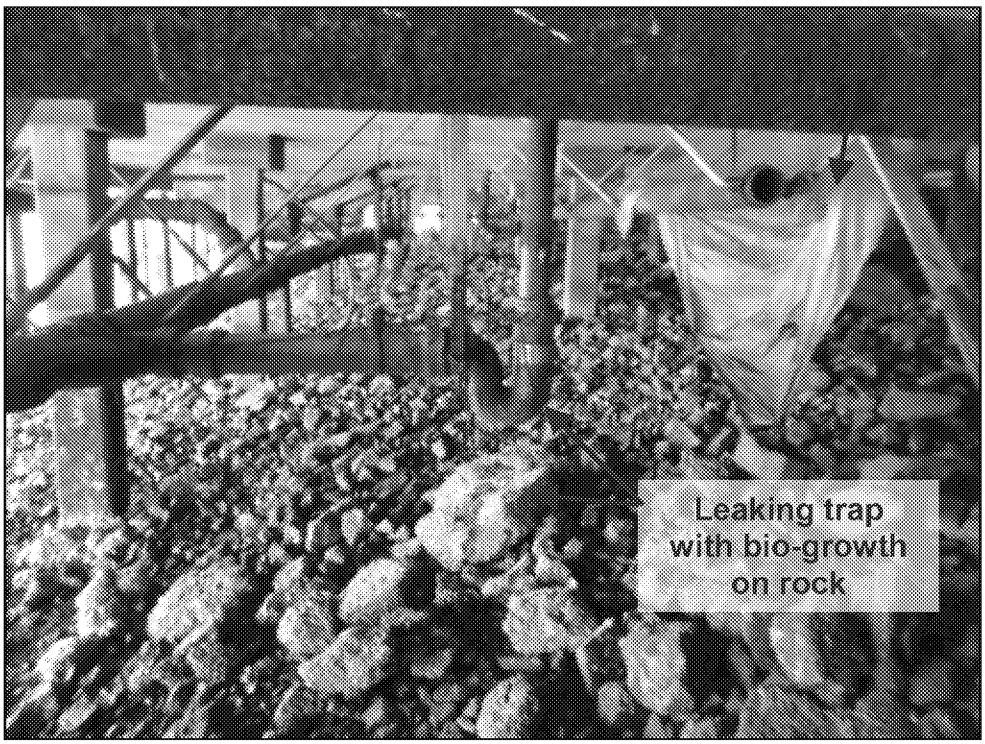


Photograph 11. View of leaking pipes underneath the facility. The water flowed to the Eureka Slough.



Photograph 12. Close-up view of leaking pipes shown in Photograph 11.

Photograph 13. Close-up view of leaking pipe shown in foreground of Photograph 12. Black tape was present on the pipe.



Photograph 14. View of a deteriorated pipe underneath the facility. The rock under the pipe was moist from leaking wastewater and appeared to have bio-growth in these areas. Plastic sheeting was also observed on nearby structures.